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8 Attorneys for Plaintiff
9 PAUL ALFRED SINCERNY

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 PAUL ALFRED SINCERNY,
13 Plaintiff,

14 vs.

15 City of Walnut Creek; Walnut Creek Police
16 Department; Walnut Creek Police Sergeant
17 Ryan Hibbs; Walnut Creek Police Officer
18 Lee Herrington; Walnut Creek Police
19 Officer Brookshire; Walnut Creek Police
20 Officer Adams; Walnut Creek Police
21 Officer Ashley Roskos; Walnut Creek
22 Police Officer Njoroge; Walnut Creek
23 Police Officer Steve Bertolozzi; Walnut
24 Creek Police Detective Kim Gerstner;
25 Walnut Creek Police Officer Scott
26 Moorhouse; Walnut Creek Police Chief
27 Tom Chaplin, and DOES 1-20,

28 Defendants.

Case No. C17-02616 HSG

**STIPULATION AND ORDER TO
MODIFY BRIEFING SCHEDULE RE
CITY OF WALNUT CREEK'S MOTION
TO DISMISS**

23 WHEREAS defendants City of Walnut Creek recently filed a Motion to Dismiss
24 plaintiff's First amended Complaint on January 11, 2018, and is now set for hearing on March 29,
25 2018; and

26 WHEREAS plaintiff's Opposition briefing would under Northern District Local Rules be
27 required to be filed and served no later than January 25, 2018; and

WHEREAS plaintiff's counsel is set for depositions almost every day in a construction matter through the end of the month and the into February, and

WHEREAS plaintiff's counsel and defense counsel have met and conferred to propose an orderly modification to the briefing schedule for the City's Motion to Dismiss, and

NOW THEREFORE, the City moving parties and plaintiff, by and through their respective attorneys, hereby agree and stipulate that good cause exists in the interest of the furtherance of justice and the above-referenced circumstances that the briefing schedule be modified such that plaintiff's Opposition to said motion shall be due no later than February 22, 2018, and the Reply briefing no later than March 10, 2018.

IT IS SO STIPULATED.

Dated: January 23, 2018

HELBRAUN LAW FIRM

By: /s/ Helbraun, David M

David M. Helbraun

Attorneys for Plaintiff

Paul Alfred Sincerny

Dated: January 23, 2018

McNAMARA, NEY, BEATTY, SLATTERY,
BORGES & AMBACHER LLP

By: /s/ Blechman, Noah G.

Noah G. Blechman

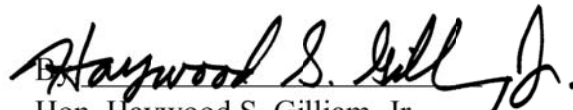
Attorneys for Defendants

City of Walnut Creek; Walnut Creek Police Sergeant
Ryan Hibbs; Walnut Creek Police Officer Lee
Herrington; Walnut Creek Police Officer Adams; and
Walnut Creek Police Officer Ashley Roskos

ORDER

PURSUANT TO THE PARTIES' STIPULATION, AND GOOD CAUSE EXSITING
THEREFORE, IT IS HEREBY ORDERED THAT PLAINTIFF'S OPPOSITION TO THE
MOTION TO DISMISS THE FIRST AMENDED COMPAINT BE FILED NO LATER THAN
FEBRUARY 22, 2018, AND THE MOVING PARTIES' REPLY BRIEFING BE FILED NO
LATER THAN MARCH 10, 2018.

Dated: January 24, 2018


Hon. Haywood S. Gilliam, Jr.
District Court Judge